

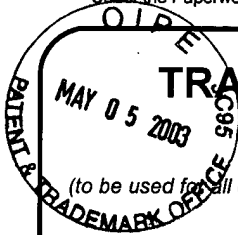
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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number		10/079,985
Filing Date		February 21, 2002
First Named Inventor		Hirokazu Tamura
Group Art Unit		2818
Examiner Name		Mai Huong C. Tran
Total Number of Pages in This Submission	Attorney Docket Number	
	AMY-002.01 (21424-201)	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Election/Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	- Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Customer No 25181	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	David A. Lane, Jr., Reg. No. 39,261
Signature	<i>David A. Lane, Jr.</i>
Date	4/28/03

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:			
Typed or printed name	Kerry Richard	April 28, 2003	
Signature	<i>Kerry Richard</i>	Date	April 28, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hirokazu Tamura et al.  
Serial No: 10/079,985  
Filed: February 21, 2002  
For: MEMS Devices and Methods  
of Manufacture

Art Unit: 2818

Examiner: Mai Huong C. Tran

Attorney Docket No.: AMY-002.01  
(21424-201)

#6 Election

M. Brunson

5/13/03

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the date listed below.

04/28/03  
Date

Kerry Richard  
Signature KERRY RICHARD

Commissioner for Patents  
Washington, D.C. 20231

ELECTION

Sir:

In response to the Election/Restriction requirement set forth in the Office Action mailed April 11, 2003, Applicants elect with traverse Group I, claims 1-69. However, it is respectfully submitted that examination of all claims simultaneously would place no undue burden on the Examiner. The Applicants respectfully point out that the examination of the claims of Group II, ~~claims 30-38 and 41-50~~ <sup>70-107</sup>, necessarily entails a search of the subject matter of Group I, and therefore submits that the examination of Groups I and II together presents no significant burden over the examination of Group II alone.

For a restriction requirement to be valid, the Examiner must establish that the search and examination of the entire application cannot be made without serious burden (M.P.E.P § 803). Accordingly, Applicants respectfully request examination of all claims simultaneously.

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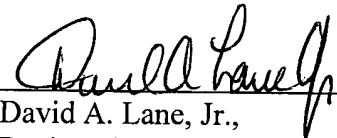
Serial No. 10/079,985  
Art Unit: 2818

Applicants consider the above election to be fully responsive to the Office Action. If there are any remaining issues or the Examiner believes that a telephone conversation with the Applicants' attorney would be helpful in expediting the prosecution of this application, the Examiner is invited to call the undersigned at (617) 832-1197. No fee is believed due. If a fee is occasioned or if extensions of time are necessary, the Commissioner is authorized to charge the balance to Deposit Account No. **06-1448**, Ref. AMY-201.

Respectfully submitted,

FOLEY HOAG, LLP

Date: April ~~28~~ 2003  
Customer Number: 25181  
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